

From: [Glenn Katon](#)
To: [WR Moon](#)
Cc: [Spencer Bryan](#); [Steven Terrill](#); [Andy Artus](#); [Dena L. Herring](#); [Jennifer Thiessen](#)
Subject: Re: Thao v GCCJA EOT Daubert opp , trial date
Date: Friday, August 11, 2023 11:55:10 AM

WR, our experts' conflicts are:

Dr. Daniel has trial Feb 12, 2024 in Illinois

Justin Jones is unavailable Jan 2-9, 2024

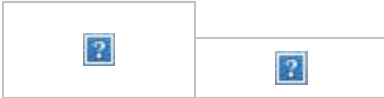
Dr. Matshes is unavailable: 1/2-12; 1/22-26; 2/12-16; 2/26; 3/28-4/4; 4/25.

Barry Dickey has some trials and other conflicts but is checking with his clients about their current status and hasn't gotten back to me yet with those dates.

Also, will you withdraw the confidential designation of the portions of the GCCJA P&P that mirror the OJS? Presumably, there are no security concerns with the public knowing that the Authority has incorporated parts of the state's regulations into policy but I want to confirm since they are designated. That way we will not have to file those portions under seal while we resolve the issue of those designations. Thanks for your consideration.

Regarding Chukou Thao, not only didn't we have anything to do with his unavailability but I asked him several times if he would agree to be available for deposition.

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On Thu, Aug 10, 2023 at 12:21 PM WR Moon <WRM@czwlaw.com> wrote:

Glenn,

I was only recently made aware of the issue. Can you be more specific regarding the conflict your experts have? As in, who is unavailable and when, "...experts in the first part of the new year..." does not provide much information.

Also, despite nearly 20 attempts to serve the Plaintiff's and decedent's father, he has managed to avoid being served for his deposition. As such, his deposition will not take place tomorrow as

previously scheduled. I find his current elusiveness curious as he obviously had input as to the Plaintiff's discovery responses.

W.R. Moon Jr.

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From: Glenn Katon <gkaton@katon.law>

Sent: Thursday, August 10, 2023 2:07 PM

To: WR Moon <WRM@czwlaw.com>

Cc: Spencer Bryan <jsbryan@bryanterrill.com>; Steven Terrill <sjterrell@bryanterrill.com>; Andy Artus <AAA@czwlaw.com>; Dena L. Herring <DLH@czwlaw.com>; Jennifer Thiessen <JKT@czwlaw.com>

Subject: Re: Thao v GCCJA EOT Daubert opp , trial date

WR, we don't consent to the trial continuance because of scheduling conflicts with our experts in the first part of the new year and our concern that if we consent the court could push the trial out further. We may have had a better chance of making it work if you raised the issue in April, when the court gave us the December trial setting.

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On Wed, Aug 9, 2023 at 9:58 AM Glenn Katon <gkaton@katon.law> wrote:

Ok, I'll check with Mr. Thao and our experts and get back to you asap.

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On Wed, Aug 9, 2023 at 8:19 AM WR Moon <WRM@czwlaw.com> wrote:

Glenn,

I've been able to speak with Judge Dishman's administrative assistant finally. Judge Dishman's has a monthly trial docket so we can request the next available setting. She has some trials set in January already but only a few specially set in February currently. Obviously, there are also the March and April trial dockets. Given our previous discussions, do you have an objection to us requesting to move December trial setting to the next available setting due to Mr. Gerlach's conflict?

W.R. Moon Jr.

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From: Glenn Katon <gkaton@katon.law>

Sent: Thursday, August 3, 2023 10:06 AM

To: WR Moon <WRM@czwlaw.com>

Cc: Spencer Bryan <jsbryan@bryanterrell.com>; Steven Terrill <sjterrell@bryanterrell.com>;

Andy Artus <AAA@czwlaw.com>

Subject: Thao v GCCJA EOT Daubert opp , trial date

WR, when we spoke on Friday about the motion to seal I believe you consented to our motion to extend our time to oppose your *Daubert* motion on Dr. Matshes until 8/23 but would you confirm before we file the motion to extend time today? Also, were you going to ask Judge Dishman's courtroom deputy about available trial dates in early 2024 in light of Mr. Gerlach's vacation?

Glenn Katon

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Exhibit 1

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